

## **REMARKS**

Applicant respectfully requests reconsideration of this application in view of the foregoing amendments and the following remarks.

### **Claim Status**

Claims 1-22 are pending in this application and are rejected.

Claims 5 and 16 are herein canceled.

Claims 1, 7, 10-12, 18, 21 and 22 are herein amended.

### **Rejections Under 35 U.S.C. § 103**

Claims 1, 2, 6, 8-13, 17 and 19-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,162,061 (Takeo) in view of U.S. Patent No. 6,266,435 (Wang).

Applicant respectfully submits that neither Takeo nor Wang, either alone or in combination, teaches or suggests a CAD tool that adds a false mark to image data so that a medical practitioner is compelled to manually review each mark in the marked image data rather than rely solely on results of the CAD tool's detection process, as essentially claimed in amended claim 1.

Takeo discloses that when an abnormal pattern detection processor means 30 cannot detect an abnormal pattern (e.g., a tumor or calcification) in a medical image it can be added to the result of the automatic detection processing by using a reporting device 450. See e.g., Fig. 1 and col. 13, lines 61-67 of Takeo. The added abnormal pattern is then determined by the reporting device 450 to be a false negative (e.g., an abnormal pattern which actually occurs but is erroneously detected as if it did not exist) and this information is used to determine the accuracy of the automatic detection

processing performed by the abnormal pattern detection processor means 30. See e.g., col. 14, lines 1-13 of Takeo. As can be seen, the addition of a missed abnormal pattern to the result of an automatic detection processing so that the accuracy of the automatic detection processing can be determined, as taught by Takeo, is entirely unrelated to adding a false mark in image data so that a medical practitioner is compelled to manually review each mark in the marked image data rather than rely solely on results of the CAD tool's detection process, as claimed in claim 1. For example, the added abnormal pattern of Takeo is not a false mark, as claimed in claim 1, but rather an actual abnormal pattern that went undetected by the abnormal pattern detection processor means 30. Thus, Takeo fails to teach all the limitations in claim 1.

Wang discloses a computer-aided diagnostic (CAD) method that adds probability information to locational markers of CAD-detected suspected abnormalities. See e.g., box 55 in Figs. 1, 2A and 2B of Wang. This information is added to make it easier for a physician in assessing/dismissing the CAD-detected markers. See e.g., col. 3, lines 55-60 of Wang. As can be seen, Wang fails to teach adding a false mark in image data so that a medical practitioner is compelled to manually review each mark in the marked image data rather than rely solely on results of the CAD tool's detection process. Thus, Wang fails to cure the deficiencies in Takeo.

Therefore, neither Takeo nor Wang, either alone or in combination, teaches or suggests a CAD tool that adds a false mark to image data so that a medical practitioner is compelled to manually review each mark in the marked image data rather than rely solely on results of the CAD tool's detection process, as essentially claimed in claim 1.

Accordingly, the embodiment of the invention claimed in claim 1 is patentable over Takeo in view of Wang.

Claims 2, 6 and 8-11 are believed to be allowable for at least the reasons discussed above for claim 1, from which they depend.

Claim 12 has been amended similarly to claim 1 and is believed to be allowable for at least the same reasons.

Claims 13, 17 and 19-22 are believed to be allowable for at least the reasons discussed above for claim 12, from which they depend.

Claims 3-5, 7, 14-16 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Takeo in view of Wang and further in view of U.S. Patent No. 6,108,439 (Ishiguro). Ishiguro does not correct the deficiencies of Takeo and Wang discussed above.

Claims 3, 4 and 7 are believed to be allowable for at least the reasons discussed above for claim 1, from which they depend.

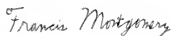
Claims 14, 15 and 18 are believed to be allowable for at least the reasons discussed above for claim 12, from which they depend.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

### CONCLUSION

Accordingly, Applicant submits that the claims as herein presented are allowable over the prior art of record, taken alone or in combination. The Examiner's early and favorable action is respectfully requested.

Respectfully submitted,



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